

### **Amendments to the Drawings:**

Four new replacement sheets of corrected drawings for Figures 1-8 are submitted with this amendment. The four attached sheets of drawings include changes to Figures 1-8.

Sheet 1, which contains FIG. 1 and FIG. 2, replaces original Sheet 1 containing FIG.1 and original Sheet 2 containing FIG. 2. In FIG. 1, previously omitted elements 10, 12, 14, 16, 18, 20, 30, 32, 34 and 36 have been added. In FIG. 2, previously omitted elements 10, 12, 14, 20, 30 and 32 have been added.

Sheet 2, which contains FIG. 3, replaces original Sheet 3 containing FIG.3. In FIG. 3, previously omitted elements 10, 14, 20, 30, 50, 52 and 54 have been added.

Sheet 3, which contains FIG. 4 and FIG. 5, replaces original Sheet 4 containing FIG.4 and original Sheet 5 containing FIG. 5. In FIG. 4, previously omitted elements 10, 12, 14, 16 and 18 have been added. In FIG. 5, previously omitted elements 10, 12, 14, 16 and 18 have been added.

Sheet 4, which contains FIG. 6, FIG. 7 and FIG. 8, replaces original Sheet 6 containing FIG.6, original Sheet 7 containing FIG.7 and original Sheet 8 containing FIG.8. In FIG. 6, previously omitted elements 20, 22, 24, 30, 32, 34 and 36 have been added. In FIG. 7, previously omitted elements 20, 22, 30, 32, 34 and 38 have been added. In FIG. 8, previously omitted elements 20, 22, 30, 32, 34 and 38 have been added.

Attachment: 4 Replacement Sheets

### **Remarks/Arguments**

Applicant acknowledges with gratitude a telephonic interview with Examiner Hsieh, conducted on January 4, 2005, wherein the Examiner explained to Applicant the importance of proper claim language and how one might prepare an amended specification and drawings. Accordingly the specification, drawings and claims have been amended in the present communication.

The third paragraph of the **BACKGROUND OF THE INVENTION** is amended to delete redundant subject matter presented more appropriately in the **BRIEF SUMMARY OF THE INVENTION** and **DETAILED DESCRIPTION OF THE INVENTION** sections of the present application.

The **DESCRIPTION OF DRAWINGS** section of the specification is amended to correct minor editorial problems.

The **BRIEF SUMMARY OF THE INVENTION** section of the specification is amended to clarify features of the present invention as shown in FIGS. 1-8.

The **DETAILED DESCRIPTION OF THE INVENTION** section is amended to further discuss in general terms features taken from FIGS. 1-8.

Claims 1-3 are pending in the application. Claims 2-3 are rejected under 35 U.S.C. §102 and claim 1 is rejected under 35 U.S.C. §103. Claim 1 is amended; claims 2 and 3 are canceled; and new claims 4-18 are added in the present communication. Support for new claims can be found in the specification and drawings.

Accordingly, no new matter is introduced by the amendments to the specification and claims.

Applicant hereby requests further examination and reconsideration of the application, in view of the foregoing amendments and the arguments presented below.

### ***Objections to the Drawings***

Replacement drawing sheets for Figs. 1-8 are submitted in response Examiner's objections. The amended drawings have added reference numerals for each of the claimed elements shown in the drawings.

### ***Objections to the Specification***

The specification is amended in response to Examiner's objections, inserting reference numerals and a brief description of the claimed elements identified in the drawings. Certain passages in the specification are rephrased in the interest of clarity consistent with the claimed elements shown in the drawings. In addition, the specification is amended to include descriptive matter pertaining to inherent functions, properties, operational theories or advantages of the present invention as shown in the drawings. Accordingly, Applicant respectfully submits no new matter is introduced by the amendments to the specification.

### ***Claim Rejections – 35 U.S.C. §102***

Claims 2 and 3 are rejected under 35 USC 102(b) as being anticipated by Belli. Claims 2 and 3 are canceled; thereby rendering the rejection of these claims under 35 U.S.C. §102(b) moot.

### ***Claim Rejections – 35 U.S.C. §103***

Claim 1 is rejected under 35 USC 103(a) as being unpatentable over Belli in view of Link et al.

Belli teaches a counterhoop (14) and a clamping or tensioning mechanism (18), such as a lug-claw hook or lug-clamp combination, that functions as a drum tuning system for conga drums. However, Belli does not disclose a toggle clamp as set forth in the present application and claims.

Link et al. teaches a quick acting clamp device (5) for fixing pre-tensioned drum heads on the kettle edge of a drum body, wherein a change does *not* take place in the given pitches. Accordingly, there is no motivation to modify Belli et al.'s clamping or tensioning mechanism for a conga drum, to include Link et al.'s quick acting clamp device for a kettle drum. Indeed,

Link et al. teaches away from using his quick acting clamp device to accomplish any sort of change in pitch in the pre-tensioned drumheads, for which it is intended.

While Link et al.'s quick acting clamp device may provide a quick attachment and release mechanism for pre-tensioned drumheads adjusted exactly to a given pitch, Link et al.'s disclosure of a quick acting clamp device having hook-like claws (14) formed by a leaf spring does not teach or suggest an operational mechanism for applying sufficient tension to tune a conga drum. Thus, it would not have been obvious for one of skill in the art to modify Belli's drum tuning system, as taught by Link et al. to include a quick acting clamp device, for the purpose of providing a quick acting drum tuning system.

Accordingly amended claim 1 and new claims 4-18 are believed to be in condition for allowance.

### ***Conclusion***

In view of the foregoing arguments and amended claims, applicant respectfully requests reexamination and reconsideration of the application. Should there be any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Margaret Churchill". The signature is fluid and cursive, with the first name "Margaret" and the last name "Churchill" clearly distinguishable.

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